

**For Immediate Release**

**Village of Richfield Issues Statement Regarding Scenic Pit LLC. Property  
To Correct Statements Made**

*Letter to the Circuit Court Meant to Expedite Civil Procedure*

**Richfield, WI...** On December 7<sup>th</sup>, the Daily News published an article in which Ms. Danah Zoulek, managing partner of Scenic Pit LLC., admits she has been taking construction spoil on her property for the last two (2) months. This is in direct violation of the stipulated agreement verbally agreed to in front of the Hon. Judge Andrew Gonring.

Ms. Zoulek was quoted as saying “[D]riveway and culvert permits are local approvals and the Court of Appeals has determined no local approvals apply”. Ms. Zoulek’s perversion of the Court of Appeals’ decision underscores the troubling way she is now interpreting the Court’s decision and why further declaratory judgments by the Circuit Court are needed. “What would happen if 90% of the Village’s properties (those that are not located in the FEMA Floodplain per the Court of Appeals), including those in subdivisions, declared their property as a ‘clean fill site’ like Ms. Zoulek has? Would that similarly exempt them from every ordinance in our Municipal Code? It defies logic and common sense” said Village Administrator Jim Healy.

Ms. Zoulek repeatedly brings up comparisons with “The Jacklin Pit” and Lannon Stone on STH 175, but her comparisons are fundamentally incorrect. Neither of these properties are classified as clean fill sites. The Jacklin Pit was not abandoned, it was actively operated until it was purchased as a part of the Timberstone Subdivision development. Existing virgin soil material that was left over from developing the subdivision was placed in “The Jacklin Pit” and/or was regraded and redistributed throughout the development. Lannon Stone on STH 175 is an active quarry and the material being brought on to the property is regulated by the Wisconsin DNR and is a part of an approved restoration plan overseen by Washington County.

The irony is Ms. Zoulek’s partner, Mr. Jeff Gonyo, almost a decade ago was concerned about dumping in this same area, on the “Old Wissota Gravel Pit on Scenic Road where the Bark River flows through the property and empties into nearby Bark Lake- a highly populated residential area.” Now he is arguing that his client should be allowed to operate a clean fill site without any regulations thereby jeopardizing the drinking water in the Village of Richfield.

The Village Board continues to fight for our taxpayers and to protect the Village’s groundwater. Ms. Zoulek’s property is not regulated by the DNR. Ms. Zoulek has no reporting requirements and the DNR is wholly unaware of where these types of operations take place. We all know that if any contamination gets into the groundwater from an unclean load the Village’s groundwater will be forever destroyed.

The article also quotes Ms. Zoulek as saying this is “another attempt by Richfield to delay the business’s operation”. This could not be more untrue. We are attempting to continue through the civil procedure process. This case was remanded back to the Circuit Court by the Court of Appeals and the judgment for Scenic Pit, LLC. was only “in part”. Other, more critical elements of the case have yet to be decided.

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